

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

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CLERKS OFFICE
2012 AUG 13 P 4:02

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address))

U.S. DISTRICT COURT
DISTRICT OF MASS.
Case No. 12-CR-10226-DJC

45 Riley Switch Road, Phillipston, Massachusetts)
("Target Location 1"))
)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____ Massachusetts
(identify the person or describe the property to be searched and give its location):

See Attachment A - Target Location 1

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

See Affidavit of Special Agent Stephen J. Kelleher and Attachment B, incorporated by reference

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before

August 20, 2012

(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m.☒ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Marianne B. Bowler

(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 3124 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).

☐ until, the facts justifying, the later specific date of _____

Date and time issued:

August 6, 2012 @ 12:55PM


Marianne B. Bowler, USMJ
Judge's signature

City and state: Boston, Massachusetts

Marianne B. Bowler, United States Magistrate Judge

Printed name and title

AO 93 (Rev. 12/09) Search and Seizure Warrant (Page 2)

Return		
Case No.: 12-CR-10226-DJC	Date and time warrant executed: 08/07/2012 6:30 AM	Copy of warrant and inventory left with: Copy left on table at residence.
Inventory made in the presence of: N/A		
Inventory of the property taken and name of any person(s) seized: - See attached inventory list (FD-597).		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <p>Date: 08/13/2012</p> <p> Executing officer's signature</p> <p>Douglas R. Schiele (FBI Special Agent) Printed name and title</p>		

**UNITED STATES DEPARTMENT OF JUSTICE FEDERAL
BUREAU OF INVESTIGATION**

Receipt for Property Received/Returned/Released/Seized

File # 245C-BS-102993

On (date) 8/7/2012

item(s) listed below were:

- ☐ Received From
☐ Returned To
☐ Released To
☒ Seized

(Name) Search Warrant 12-CR-10226-DJC
 (Street Address) 45 Riley Switch Road
 (City) Phillipston, Massachusetts

Description of Item(s):

1 (1) LG cellphone, serial number 201CYFT0792323

2 (1) NOOK COMPUTER

3 (1) Dell Inspiron laptop, model N5040 SERIAL BDDJJR1

4 (1) USB FLASH DRIVE

5 (1) Dell Inspiron Laptop, N5050, serial number 2M6MLR1

6 (2) SD cards ,

2 X brass keys with #"1712" + "Diebold Inc" imprinted on top; 1 X white envelope with " box
 7 1712-6" written on front;

8 \$3811.00

9 \$1,000

10 documents, prepaid cellphone receipts, list of contacts

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Receipt for Property Received/Returned/Released/Seized

File # 245C-BS-102993

credit cards -

Mastercards-

5329-0509-8004-4273

5491-1303-0418-5184

5491-1303-0418-5184

Visas-

4631-5884-3018-9519

4852-7900-0565-8882

4255-2200-0943-1154

4266-8411-6132-8859

4305-7286-8734-1859

4117-7040-2625-7872

Discover Cards -

6011-2088-7873-4469 (John)

6011-0012-5396-4250

6011-0018-4739-6837

11 6011-0018-4739-6837

Mastercards-

5275-1800-0104-0770

5491-1303-0418-5184

US Airways dividend Miles

40039658006

Visa cards-

4246-3151-4435-0335

4802-1393-7744-0753

Discover Card

6011-2088-7873-4469

US currency - \$43.00

(1)\$20

(4)\$5

(3)\$1

12

2 X "LG VERIZON" mobile phones

serial number 202CYFT0970243;

13 serial number 201CYHE0792233

-6X "Feminised seeds, premium quality cannabis seeds" plastic bags with seeds inside

-3X plastic bags with white label and seeds inside

-2X plastic bags with seeds +plants

-1X plastic bag with "advanced female seeds" with card stapled to bag

14

(3) RMV MA licenses for John Kosta and (2) Arizona licenses for Tamara Kosta and (3)

15 weapons permits (MA, AZ, NH)

John Kosta MA driver license, expiration 10/4/2016; John Kosta MA driver license expiration

16 10/4/2011; John Kosta social security card in paper with names and contact info

NETTS folder with "catalog 2012 edition" inside was Nate Angers business card and

17 enrollment agreement between John Kosta and NETTTs

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(2) cell phones -

verizon LG phone, s/n 202CYLH0940400

verizon motorola phone DECMEID:268435459411505441;

18 (4) SANDISK CARDS, (2) memory sticks, (3) video cassettes

19 (1) box containing financial records, tax returns, property records

20 property records and motorcycle records

21 Samsung Laptop s/n HJV993CRA00493B

22 1 Canon camera; 1 camera bag; 1 sony video camera; 1 san disk

23 Stun Gun - PHX-800 TYPE

24 Bullet proof vest

25 Tax returns, notepads and property records

26 16 ammo magazines - 4 loaded, 12 unloaded

27 1 loaded (7 rounds) .40 cal ammo magazine from Glock handgun - PXG371

28 5 9mm rounds

29 Notepad safe deposit box key envelope

30 Glock Handgun (#PXG371)

31 3 purple electric converters and cords, electronic scale, and 3 timers

32 1 purple electric converter and cord, 1 timer

33 DVR

Checkbooks:

2 Sovereign Bank Account #38504831678, John Kosta Real Estate;

3 Eastern Bank Acct #600251698, My Phone Book;

2 TD Banknorth Acct #8244540064, John Kosta Real Estate;

3 Danvers Savings Acct # 21114305, John Kosta;

5 Community Credit Union Acct # 2500000035, My Phone Book;

1 Wells Fargo Account # 2704137880, Tamara Kosta;

34 2 Eastern Bank Account # 401107396, Tamara Mihalakakis

35 Bank Records

36 Key Ring with safety deposit keys on carribenar

Misc paperwork from the Commonwealth of Massachusetts, paperwork with names and
37 contact info, cambridge Telephone/Address book, CD with "testimonial" on front

38 Rolodex contacts

39 approx 45 green leafy plants

40 approx 45 green leafy plants

41 12 small, 1 large green leafy plants

42 1 Firearm Make: Sturm Ruger S/N 660-14189

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43	1 firearm Make: Smith + Wesson 44 magnum s/n N870328
44	1 firearm, Make: ever johnson arms s/n 73485
45	1 firearm, Make: interarms s/n: L6077
46	1 firearm, Make: sturm ruger revolver s/n 174-78641
47	1 firearm, Make: Arms Co revolver s/n 14820
48	2 boxes of remington 44 magnum, 2 boxes remington 357 magnum, 1 box winchester 380 auto, 1 box 45 auto ammunition
49	UF Mossberg & Sons, Inc Model # 390KA, S/N not listed
50	Remington Shotgun Model 870 S/N D577964N
51	UF Mossberg & Sons Inc Model 183KD - S/N 205346
52	Botto BR7 S/N 3052238A
53	Ny Arms Co., S/N 63861
54	Heckler & Koch Inc .22 cal S/N HK002360 & case
55	M&P 15 S/N SM28424 & Case
56	M&P-15 S/N SN63363 & Case
57	Bushmaster Model XM15E2S & Case S/N BFI437064
58	Bushmaster XM15-E2S, S/N BFI615628 & Case
59	M&P 15 S/N SM23903 & Case
60	S/N XA008899 Model Sig 522 & case
61	Assorted ammunition and magazines in backpack inside safe
62	Assorted ammunition and magazines in safe
	4 loaded clips 45 auto
	2 loaded clips 380 auto
63	1 empty 45 clip
64	3 Jetblue firearm declaration tags
65	1 ledger containing bank account info and contact phone numbers
66	HKP2000SK S/N 121007455 & Case
67	Smith & Wesson MP-40 S/N MRC6307 & case
68	Glock Model 19 S/N KVG412 & case
69	Smith & Wesson Model P2000SK S/N 122014590 & case
70	Keltec Model MR30 S/N W0Z82 & case
71	Sturm Ruger 357 Magnum S/N #17498683 & case
72	2 cell phones seized from Tamara Kosta following her arrest on 8/7/12



Attachment A

45 Riley Switch Road, Phillipston, MA

45 Riley Switch Road is a light grey, two story, one family home, and appears to have a stone façade. There is a chimney on the right side of the home. The home is distinguishable by the large approximately seven or eight foot wooden stockade fence that encloses the perimeter around the home. The home is difficult to see from the street due to the obstruction caused by the fence. There is a large wooden play set in the rear of the house, a white shed, and a light colored Connex box in the corner of the yard closest to the street. The fence around the property has two gates that allow entry and egress from the property. The property is depicted in Attachment A-1.

ATTACHMENT B
ITEMS TO BE SEIZED

1. Documents reflecting dominion and/or control of the Target Location, including, but not limited to, canceled mail, photographs, personal telephone books, diaries, bills and statements, videotapes, keys, identification cards and documents, airline tickets and related travel documents, bank books, checks, and check registers;
2. U.S. currency;
3. books, records, receipts, notes, ledgers, airline tickets, receipts relating to the purchase of financial instruments and or the transfer of funds, and other papers relating to the transportation, ordering, sale and distribution of controlled substances;
4. controlled substances, packaging materials, proceeds of drug sales and records of drug trafficking;
5. evidence pertaining to obtaining, secreting, transfer, concealment and or expenditure of narcotics proceeds, such as: currency, financial instruments, precious metals and gemstones, jewelry, books, records, invoices, receipts, records of real estate transactions, bank statements and related records, passbooks, money drafts, letters of credit, money orders, bank drafts, cashiers checks, bank checks, safe deposit box keys and money wrappers;
6. electronic equipment such as computers, telex machines, facsimile machines, currency counting machines and telephone answering machines to generate, transfer, count, record and or store the information described above (such equipment will be seized, but no search of the contents of such equipment will be conducted without first applying for a further search warrant and receiving authorization to conduct such search);

7. beepers, billing records pertaining to beeper accounts and ledgers containing beeper code numbers, customers and locations (such equipment will be seized, but no search of the contents of such equipment will be conducted without first applying for a further search warrant and receiving authorization to conduct such a search);
8. cellular and/or portable telephones (except for a search incident to arrest of the address book and/or recent call logs of a defendant's cellular and/or portable telephone(s), no search of the contents of such seized devices will be conducted without first applying for a further search warrant and receiving authorization to conduct such a search) ;
9. smart phones, PDAs, iPods, cellular telephone SIM cards, and other similar data storage devices (such devices will be seized, but no search of the contents of such seized devices will be conducted without first applying for a further search warrant and receiving authorization to conduct such a search);
10. retained copies of tax returns;
11. photographs of individuals, property, and/or illegal controlled substances relevant to the drug conspiracy and/or drug distribution charges;
12. books or papers which reflect names, addresses and/or telephone numbers of associates in the trafficking organization; and
13. identification documents and records, including birth certificates, passports, social security cards, identification cards, travel documents and driver's licenses.